

REMARKS

The Legal Instruments Examiner (LIE) has refused to enter the amendment alleging that it failed to comply with 37 CFR 1.121 i.e. amendments to the specification were not properly indicated. As a result the Applicant has amended the application to overcome the objection to show deletions to the specification with brackets (instead of strikethroughs) and added text being underlined. Therefore, entry of this amendment is respectfully requested.

Favorable reconsideration of this application is respectfully requested in light of the following remarks.

Drawing Objections

Replacement pages to Figures 1-3, and 8 are enclosed herewith. As suggested by the Examiner, the enclosed figures now include reference labels with descriptive text as described in the specification on pages 5-7 and 13.

Objections to the Specification

Amendments were made to the specification together with marked-up completed paragraphs with the location indicators in accordance with 37 CFR 1.121.

In addition to those suggested by the Examiner, corrections were made to the specification and claims to correct spelling and obvious grammatical errors. Furthermore, the phase "What is claimed is" was added after the last paragraph of the detailed description section just prior to the claims section.

Claim Objections

All claims have been amended in accordance with 37 CFR 1.121 with appropriate status identifiers. Claims 4, 7, and 9 were objected to for various informalities and were therefore

corrected. Claim 4 now reads "one regional" instead of "on e regional" and claims 7 and 8 now reads "to identify" instead of "to identity."

Claims 4-10, 13-21, and 23-26 were objected to because they are multiple dependent claims that dependent from another multiple dependent claim, and thus the claims were not further treated on the merits. Accordingly, the Applicant has amended the claims by removing all multiple dependencies. Further treatment of the claims is respectfully requested.

35 U.S.C. §112 Rejections

Claim 1 was rejected for being narrative and indefinite and failing to conform to current U.S. practice, as indicated in item 11 of the Official Action. Accordingly, the Applicant has amended claim 1 to more clearly claim the subject-matter in accordance with current claiming practice. Specifically, the claim elements are now listed separately and independently. No new matter was added. Additionally, the term "characterized in that" were removed from the claims to better conform to current U.S. claiming practice.

In view of the foregoing clarification, a withdrawal of the 35 U.S.C. §112 rejections is respectfully requested.

35 U.S.C. §102(e) Rejection

The Examiner rejected claims 1 and 11 under 35 U.S.C. §102(e) as being anticipated by Skopp et al. (US 6,256,739).

Skopp discloses a method and apparatus to determine a user's identity in order to limit access to a communications network. In other words, the invention of Skopp relates to determining the user's identity in order to decide to grant access to a communications network and retrieve requested information such as a URL by the user, as stated on col.3, lines 60-67, and in the abstract. In the technique described on col. 4, lines 51-67 and shown in Fig. 1B, the user's computer or client computer accesses the Internet 100 through an access control system 300. The user's computer first connects to an access control proxy 310 within the access control system. To make the identification, a first message containing user identity

information is received from the client computer by the access control system proxy. Subsequently, a second message containing the information request or URL is received from the client computer. As shown in Fig. 1B, the access control proxy 310 is connected to the controller 320 which contains a user identity database 345 for which to identify the user by password authentication, as stated in col. 6, lines 55-64.

In contrast, the method and objective of the present invention is completely different in that the user's identifying information is determined *without* the user's intervention i.e. the user is not required to enter a password in a log-in procedure in order to identity to be established, as stated on page 2, lines 5-16 in the description. For example and with reference to Fig. 3, when the computer user requests a web page from the Internet, the website sends a request for the user's identifying information to a third party entity via the Internet if the website initially cannot determine the user's identity. The third party entity retrieves the user's identifying information from a stored database accessible by the third party entity if the current identifying information sought is included in the database. If it is not or the information is outdated, the third party entity retrieves the identifying information from the Internet access provider that the user is using. The identifying information is sent to the third party entity which forwards it to the website.

The presently amended claims 1 and 11 clearly state that the identifying information is sent via the Internet to the control means 101 or 103 of the third party entity and forwarded to the service device 108 or the original website. This is not the case in Skopp since the identifying information is retrieved within the access control system 300 and not through the Internet 100, as can be seen in Fig. 1b. Furthermore, Skopp does not disclose a service device, a third party entity (control means 101 or 103), and an access device 105a communicating in the manner as claimed in the present invention.

In view of the foregoing clarifications, a withdrawal of the 35 U.S.C. §102(e) rejection is respectfully requested.

35 U.S.C. §103 Rejection

The Examiner rejected claims 2-10 and 12-26 under 35 U.S.C. §102(e) as being unpatentable over Skopp as applied to claims 1 and 11 and in view by Tran (US 6,505,238).

The Examiner states that Skopp does not disclose a distributed communication system that is divided into a number of geographical regions. However, the Examiner states that Tran discloses a distributed communication system that is divided into two different geographical regions based on the distance between the cities (Figure 2). As stated in the foregoing discussion, Skopp's technique involves user login procedures, at least in part, to determine the user's identifying information. Furthermore, the invention disclosed in Tran is for a method for allowing remote login to a user's personal workstation which requires the user to enter through a login information into a web page, as stated in col. 3, line 51 to col. 4, line 4 in addition to the abstract. As stated previously, the objective of present invention is to obtain user identifying information without the need for the user to go through login procedures.

The Applicant respectfully submits that the cited combination of Skopp and Tran is not appropriate in view of the objective of the present invention of not requiring intervention by the user to obtain identifying information. Thus, a skilled person in the art would not look to Skopp or Tran for the aforementioned reason. Accordingly, withdrawal of the 35 U.S.C. §103 rejections is respectfully requested.

New Claims

New claims 28-30 were added that more clearly claims the subject-matter of the present invention. No new matter was added. The new claims differ from Skopp in that the identifying information is forwarded over the Internet from a third party entity in a manner that does not require user login procedures. Earlier comments speaking to the difference between Skopp and Tran and the present invention apply. Applicant thus submits that the new claims are patentable over the cited art.

Accordingly, the Applicant submits that all claims are patentable over the cited art and requests that all rejections of record be withdrawn. Allowance of this application is earnestly solicited.

The Commissioner is hereby authorized to debit additional claims fees or any other outstanding fees from Deposit Account 501249 or credit any overpayment to the same.

Should any questions arise in connection with this application, the undersigned can be contacted at the information indicated below.

Respectfully submitted,
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